

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902E) For Authority To Update Marginal Costs, Cost Allocation, and Electric Rate Design.

Application 11-10-002
(Filed October 3, 2011)

DECISION GRANTING COMPENSATION TO SAN DIEGO CONSUMERS' ACTION NETWORK FOR SUBSTANTIAL CONTRIBUTION TO DECISION 14-01-002

Claimant: San Diego Consumers' Action Network	For contribution to Decision (D.) 14-01-002
Claimed: \$195,331.50	Awarded: \$163,889.29 (reduced 16.10%)
Assigned Commissioner: Mark Ferron	Assigned ALJs: Stephen Roscow and Amy Yip-Kikugawa

PART I: PROCEDURAL ISSUES

A. Brief Description of Decision:	Decision granted approval of a Partial Settlement and adopted the Revised Proposed Decision of ALJs Roscow & Yip-Kikugawa in the application of San Diego Gas and Electric Company (SDG&E) to establish marginal costs, allocate revenues, and design rates for service provided to its customers.
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B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:¹

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing	n/a	December 9, 2011

¹ This and subsequent statutory references are to California Public Utilities Code.

	Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
Conference:		
2. Other Specified Date for NOI:	n/a	
3. Date NOI Filed:	July 26, 2012 (See Comment #B.3)	July 26, 2012
4. Was the notice of intent timely filed?		Yes, under the specific circumstances of San Diego Consumers’ Action Network’s (SDCAN) participation in this proceeding, the Notice of Intent (NOI) was accepted as timely; see Comment #B.3.
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	No ruling on NOI in this proceeding.	Verified
6. Date of ALJ ruling:	February 25, 2013	Verified
7. Based on another CPUC determination (specify):	R. 12-06-013	Verified
8. Has the claimant demonstrated customer or customer-related status?		Yes, but see CPUC’s comment B.8.
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	No ruling on NOI in this proceeding.	
10. Date of ALJ ruling:	February 25, 2013	Verified
11. Based on another CPUC determination (specify):	R. 12-06-013 (See Comment B.11)	Verified
12. Has the claimant demonstrated significant financial hardship?		Yes. See Comment(s)
Timely request for compensation (§ 1804I):		
13. Identify Final Decision	D. 14-01-002	
14. Date of Issuance of Final Decision:	January 23, 2014	Verified
15. File date of compensation request:	January 24, 2014	Information is Correct. Amended compensation claim filed October 22, 2014. See Comment B.15.
Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
B.3	SDCAN filed a motion to intervene which was accepted by the Commission. Concurrently, SDCAN also filed an NOI on June 26, 2012. SDCAN did not file an NOI at the time of the original Prehearing Conference because it was not then a party to the proceeding. The NOI was being filed concurrently with SDCAN's Motion for Party Status. As set forth in greater detail in the Motion, SDCAN is sought to join the proceeding as the successor to UCAN in order to represent the interests of SDG&E customers through the conclusion of this proceeding. SDCAN is also seeking to adopt UCAN's prior pleadings and testimony as its own. Because UCAN had withdrawn its testimony from this proceeding, SDCAN's efforts did not duplicate the UCAN prior intervention. In her July 3, 2012 ruling, ALJ Yip-Kikugawa accepted SDCAN's motion for party status in an email ruling. ALJ Yip-Kikugawa accepted SDCAN's NOI as timely on July 9, 2012 by email notification to parties.	Commission accepts this assertion.
B.11	SDCAN understands that the ALJ Division has adopted a practice of only issuing a formal ruling on an intervenor's notice of intent if the intervenor is seeking to demonstrate significant financial hardship, rather than relying on the rebuttable presumption created by an earlier finding of hardship. SDCAN's showing on financial hardship (relying on the rebuttable presumption) and customer status was contained in our NOI. SDCAN offered such a showing in its NOI filed on July 2, 2012 but is not aware of a ruling in this proceeding. However, SDCAN has previously been found to satisfy these two standards – see ALJ ruling on February 25, 2013 in R. 12-06-013.	
B.12		The ALJ ruling of February 25, 2013, in R. 12-06-013 found SDCAN had a rebuttable presumption of eligibility pursuant to the October 30, 2012 ALJ ruling in A.12-06-003.
B. 15		Amended claim filed October 22, 2014,

		provides time records missing from the original claim. The interest, if any, on the payment of the award shall accrue beginning January 5, 2015, the 75th day after the filing of claimant's amended request.
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PART II: SUBSTANTIAL CONTRIBUTION**A. In the fields below, describe in a concise manner Claimant's contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059)**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<u>Overview:</u> SDCAN presented expert testimony on two major issues: Revenue Allocation and Rate Design. All of the contested Revenue Allocation issues were incorporated into the settlement presented by the parties and largely adopted by the Commission. SDCAN's Rate Design testimony focused on the Basic Service Fee and Tier Consolidation and recommended that these issues be deferred to OIR 12-06-013. SDCAN also cross-examined and briefed the Distribution Demand Settlement, CARE Allocation and Prepay Options. On every issue, the Commission adopted the recommendations espoused by SDCAN. Of the Rate Design five issues upon which SDCAN offered testimony and/or briefed, the decision adopted <i>all</i> five of SDCAN's recommendations. For that reason, SDCAN seeks 100% compensation for its costs.	SDCAN Opening and Reply Briefs.	The Commission does not make findings on overviews, summaries or other statements of general nature made by intervenors in Part II.A.
<u>Revenue Allocation and Rate Design Settlement:</u> We find that the Revenue Allocation and Rate Design Settlement Agreement should be approved. Based on the evidentiary record of this proceeding, including prepared testimonies and cross-examination of witnesses at hearings, and the uncontested nature of the proposed settlement, we find that the proposed settlement agreement fairly resolves identified issues and is in the public interest.	D. 14-01-002, p. 21 SDCAN Opening Brief, p. 3	Yes.
<u>Distribution Demand Charge Settlement:</u> Second, regarding whether the settlement is in		Yes.

<p>the public interest, the Settling Parties assert in their October 19 motion that this is the case, but offer nothing further to support their general assertions.....</p> <p>The settlement was opposed by SDCAN and SDCPA.</p>	<p>D. 14-01-002, p. 33</p> <p>SDCAN Opening Brief, pp. 4-7</p> <p>D. 14-01-002, p. 29-30</p>	
<p><u>Basic Service Fee:</u> Since potential residential rate design structures are currently under consideration in R.12-06-013, we believe it would be more appropriate to consider SDG&E's basic service fee as part of that rulemaking.</p>	<p>D. 14-01-002, p. 40</p> <p>SDCAN Opening Brief, pp. 8-13</p>	Yes.
<p><u>Tier 3 & 4 Consolidation:</u> (SDCAN) also defends SDG&E's current tiered structure, noting that its testimony states that multi-tiered pricing at the higher usage levels increases conservation incentives for those customers with the opportunity for reducing the greatest amount of load.</p> <p>. . .we prefer to consider any tier consolidation proposal as part of whatever integrated proposals SDG&E may decide to put forward in the Rulemaking, and to give all interested parties the opportunity to affect the outcome in that proceeding based on an up-to-date record in the context of the new legislative guidance that has emerged since SDG&E made this proposal two years ago.</p>	<p>D. 14-01-002, p. 41</p> <p>SDCAN Opening Brief, pp. 18-20</p> <p>D. 14-01-002, p. 43</p>	Yes.
<p><u>CARE Allocation:</u> While the placement of Section 327(a)(7) in the code could lend itself to some confusion, the actual text of that provision and the Legislative Counsel's contemporaneous explanation of its effect eliminate any doubt as to the Legislature's intent.</p>	<p>D. 14-01-002, p. 49</p> <p>SDCAN Opening Brief, p. 20 (on the interpretation of Section 327(a)(7))</p> <p>SDCAN Proposed Decision Reply Comments, p. 3 -on the legislative history of Section 327(a)(7)</p>	Yes.
<p><u>Prepay Option:</u> SDCAN had modified its perspective to conclude that "SDG&E's Opening Brief reveals a disturbing truth: its 'prepay program' is not designed for any customer who is not poor or cash-strapped..... we do not find SDG&E's proposed Prepay Program, in its current form, to be in the public interest. Testimony shows that SDG&E has not</p>	<p>D. 14-01-002, p. 53</p> <p>SDCAN Opening Brief, p. 21</p>	Yes.

consulted with likely affected customers as it developed its proposal, so its representations that these customers would welcome such a program are unconvincing.		
SDCAN's contributions are further described in its Opening Comments on the Proposed Decision in which it supported the PD but recommended some clarifying revisions that were adopted in D. 14-01-002.	D. 14-01-002, p. 41, fn 53	Yes.
SDCAN's reply comments focused on the issue of CARE allocation which was ultimately revised and accepted by the Commission.	D. 14-01-002, p. 56	Yes.

B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Office of Ratepayer Advocates (ORA)² a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding? (Y/N)	Yes	Verified
c. If so, provide name of other parties: The Utility Reform Network, Greenlining Coalition, Consumers' Coalition		Verified; Consumers' Coalition was not a party in this proceeding.
d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party: There were numerous active parties opposing SDG&E's rate design proposals. Under such conditions, SDCAN submits that it was nearly impossible to avoid some amount of duplication. Still, SDCAN strove to keep such duplication to a minimum by coordinating with the other active parties to the extent practicable to identify issue areas that would be sufficiently covered by those parties. In particular, SDCAN consulted closely with DRA/ORA in order to minimize the overlap between the respective organization's testimony. As a result, SDCAN's testimony focused on particular topics from the Scoping Memo that seemed likely to particularly benefit from the experience and expertise of SDCAN's witnesses. During the settlement and evidentiary hearings, SDCAN coordinated with ORA and TURN as the parties conducting		With certain exceptions discussed in Part III. D, we agree that SDCAN avoided, whenever possible, unnecessary duplication of efforts with parties that had similar concerns.

² The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to SB 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013.

the largest amounts of cross-examination, thus minimizing overlap of preparation and conserving hearing room time. SDCAN also drafted its brief so as to minimize duplication of other parties' arguments and focused its effort on issues that were unique to DRA and SDCAN.

In regards to the Revenue Allocation issues, SDCAN and ORA were the only active parties representing small consumers and each represented the interests of consumers in these discussions. Given that under the best of circumstances the two organizations brought only a fraction of the resources to the effort as compared to the utility and large customers, it was essential that SDCAN and ORA coordinate our efforts to maximize our effectiveness. SDCAN submits that the adoption of the Settlement based in part on the Commission's determination that such adoption will well-serve the interests of SDG&E customers is evidence of SDCAN's successful coordination with ORA. ORA needed only to assign two experts to its team because of the team of nine experts that SDCAN was able to assign to this case. SDCAN was the only consumer representative that cross-examined or briefed on the DG-R rate/distribution demand charge settlement that the Commission ultimately rejected. The Comparison Exhibit prepared by the parties and submitted to Energy Division in October 2012 fully sets out how the SDCAN positions weighed heavily in the outcomes arrived at by the parties in the Partial Settlement.

As to the Rate Design issues, the Consumer intervenor groups delegated responsibilities so that SDCAN took the lead on the rate impacts of the proposed Basic Service Fee and Tier Consolidation issues, while TURN focused on legal issues raised by the Basic Service Fee, CARE cost allocation and it joined with Consumers Coalition to prepare testimony and advocate on the Prepay Option. SDCAN did not participate in the Prepay Option testimony even though it opposed the SDG&E proposal. Accordingly, the Commission should find that SDCAN's participation was efficiently coordinated with the other active parties opposed SDG&E's rate design so as to avoid undue duplication and to ensure that any such duplication served to supplement, complement, or contribute to the showing of the other intervenor.

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§§ 1801 & 1806):**

a. Intervenor's claim of cost reasonableness:	CPUC Verified
<p>SDCAN's participation in this proceeding provides several benefits for current and future energy ratepayers. SDCAN addressed a number of issues, <i>all</i> of which were ultimately decided by the Commission in support of SDCAN's position. Residential customers received a total rate <i>reduction</i> of approximately 3% in comparison to the system total .5% rate <i>increase</i>. (Motion of SDG&E and Settling Parties to Adopt Partial Settlement, October 5, 2012, p. 7, see also Update Filing of SDG&E, June 20, 2013, Attachment B which shows a 5.8% <i>reduction</i> for Residential customers) The decision adopts the settlement that was based, in part, upon the positions taken by SDCAN's experts in regards to both rate design and revenue allocation.</p>	<p>With reductions and adjustments made in this decision, the cost of SDCAN's participation bore a reasonable relationship with benefits realized through participation.</p>
b. Reasonableness of Hours Claimed	
<p>This request for compensation seeks a substantial award covering a large number of hours devoted to this proceeding by our attorney and expert witnesses. However, when viewed in context and in light of the course the proceeding took, the Commission should have little trouble realizing that the number of hours is reasonable under the circumstances.</p> <p>SDCAN's NOI projected 250 hours of attorney time and 500 hours of expert time. Its total estimate came to \$210,750, which is lower than the amount sought in this Request, even though SDCAN estimated attorneys fee rates lower than are sought in this Request. SDCAN's attorney's hours were slightly higher than projected because SDCAN's attorney also served an expert, both in drafting testimony, settlement discussions and brief writing. For that reason, SDCAN seeks an adder reflecting the efficiency gained by the joint attorney/expert hours. (See Comment #1 below)</p> <p>SDCAN is including in this request travel time for travel that SDCAN's attorney would not have engaged in but for SDCAN's participation in this proceeding. In recent years the Commission has created an exception to the practice of compensating intervenors for proceeding-caused travel time where the distance traveled was less than 120 miles each way, declaring that such travel is "routine commuting." (D. 10-11-032) However, SDCAN's travel to participate was in excess of 400 miles each way. SDCAN's eligibility for travel time and costs was most recently recognized by the Commission in a compensation decision for UCAN. (D. 13-11-016)</p>	<p>With reductions and adjustments made in this decision, a number of the hours presented for compensation are reasonable.</p>
c. Allocation of Hours by Issue	
<p>SDCAN has allocated its attorney and consultant time by issue area or activity, as evident on our attached timesheets.</p> <p>SDCAN Consultant time: SDCAN retained the services of two consulting firms. JBS Energy spent 100% of its time on revenue allocation and their positions are reflected in the adopted settlement. MRW Associations spent 100% of its time on rate design issues, some of which were adopted in the settlement and the remaining</p>	

unresolved issues adopted, in toto, by the Commission in its final decision. There was no overlap of the expert witnesses' efforts.

Attorney time: The following codes relate to specific substantive issue and activity areas addressed by SDCAN. SDCAN also provides an approximate breakdown of the number of hours spent on each task and the percentage of total hours devoted to each category (note that the numbers do not equal 100% due to rounding). The following time allocations are set forth in Exhibit 2.

General Participation (GP) – 114.1 hours – 44% of total

General Participation work essential to participation that typically spans multiple issues and/or would not vary with the number of issues that SDCAN addressed. This includes reading the initial application, drafting of a protest, reviewing Commission rulings, case management tasks, participating in prehearing conferences, attending workshops, and reviewing pleadings submitted by other parties. The relatively large number of GP hours in this case reflects the role that SDCAN's attorney played as attorney but also an expert in the settlement meetings and workshops conducted.

Revenue Allocation (RA) – 44 hours – 26% of total

Includes work on the various proposals for allocating revenues among customer classes.

Rate Design (RD) – 30 hours – 17% of total

Includes work on mechanisms for returning revenues to residential customers through. This area includes SDCAN's proposal for appropriate tiers while opposing flat rate charges.

B. Specific Claim:*

CLAIMED						CPUC AWARD			
ATTORNEY AND ADVOCATE FEES									
Item	Year	Hours	Rate	Basis for Rate	Total \$	Year	Hours	Rate	Total \$
Michael Shames	2012-2013	261.2	\$365	A.10-12-005	95,338.00	2012-2013	191.65	\$365	\$69,952.25
Michael Shames	2012	68.4	\$50	Efficiency Adder (<i>Comment 1 below</i>)	3,420.00	2012	0	\$0 ³	\$0.00
	Subtotal:				98,758.00	Subtotal:			\$69,952.25
EXPERT FEES									

³ The Commission does not award Shames the Efficiency Adder in this proceeding. Reasoning is specific to duplication issues throughout SDCAN's participation.

Item	Year	Hours	Rate	Basis for Rate	Total	Year	Hours	Rate	Total \$
William Marcus	2012	41.2	\$260	A.10-12-005; D. 13-12-028	10,712.00	2012	41.20	\$260	\$10,712.00
Garrick Jones	2012	105.4	\$150	A.10-12-005	15,810.00	2012	105.40	\$150 ⁴	\$15,810.00
Greg Ruzovan	2012	59.35	\$195	A.10-12-005	11,573.00	2012	59.35	\$195 ⁵	\$11,573.00
Steven McClary	2012	14.5	\$270	A.10-12-005	3,915.00	2012	14.5	\$270	\$3,915.00
William Monsen	2012	0.25	\$270	A.10-12-005	67.50	2012	0.00	0.00	\$0.00
Heather Mehta	2012	53	\$248	A.10-12-005	13,144.00	2012	53	\$250	\$13,250.00
Laura Norin	2012	84.75	\$207	A.10-12-005	17,543.30	2012	84.75	\$205	\$417,373.75
Briana Kobor	2012	100.7	\$122	A.10-12-005	12,285.40	2012	100.70	\$120	\$12,084.00
Sandhya Sundararagavan	2012	22	\$132	A.10-12-005	2,905.00	2012	22.00	\$60 ⁶	\$1,320.00
	Subtotal: \$87,955.20 ⁷					Subtotal:			\$86,038.00
OTHER FEES									
Item	Year	Hours	Rate	Basis for Rate	Total \$	Year	Hours	Rate	Total \$
Michael Shames	2013	33.4	\$182.50	Travel rate for four flights	6,095.50	2012	21.90	\$182.50	\$3,996.75
	Subtotal:				6,095.50	Subtotal:			\$3,996.75
INTERVENOR COMPENSATION CLAIM PREPARATION **									
Item	Year	Hours	Rate	Basis for Rate	Total \$	Year	Hours	Rate	Total \$
Michael Shames	2013	14	\$182.50	Commission policy	2,555.00	2012-2013	17.30	\$182.50	\$3,175.25
	Subtotal:				2,555.00	Subtotal:			\$3,175.25

⁴ Adopted by D.14-08-025.

⁵ Adopted by D.13-09-022.

⁶ Adopted in A.10-12-005.

⁷ See Comment (2) below.

COSTS					
#	Item	Detail	Amount	Amount	
	Travel	Travel, Lodging and Food costs for hearings, itemized in Attachments 6 & 7.	1,289.03	Travel, transportation costs, copies	\$745.04
Subtotal:			1,289.03	Subtotal:	\$745.04
TOTAL REQUEST:			\$195,331.50	TOTAL AWARD:	\$163,889.29
<p>*We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Reasonable claim preparation time typically compensated at ½ of preparer's normal hourly rate.</p>					
ATTORNEY INFORMATION					
Attorney	Date Admitted to CA Bar ⁸		Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes," attach explanation	
Michael Shames	June 3, 1983		108582	No; Please note Shames was an inactive member of the California State Bar from January 1, 1986 until January 15, 1987 and from January 1, 1988 until October 5, 2011.	

C. Comments on Part III:

Attachment or Comment #	Description/Comment
Comment #1	Shames' rate: The last approved rate for Michael Shames is \$365.00 an hour in D.13-11-016 for all work performed after October 2011. This rate reflects Mr. Shames' decision to reinstate his active membership with the Bar due to complaints filed with the CPUC about his attorney status. However, in A.10-12-005, UCAN requested compensation for Mr. Shames at a rate of \$535 per hour. It argues that as an active member of the Bar, the Commission is obligated to pay the market rates for an active Attorney in accord with other advocate/attorneys. Current Turn Legal Director Tom Long is presently approved for \$520.00 an hour Former senior attorney of TURN, and now CPUC Commissioner Michael Florio, as well as Robert Gnaizda are approved for a rate of \$535.00 an hour. Information regarding Robert Finkelstein, of TURN, has also been provided as a comparison. Mr. Finkelstein has been an outstanding advocate for TURN

⁸ This information may be obtained at: <http://www.calbar.ca.gov/>.

	<p>since 1992, and is well known to this Commission. He has an approved rate of \$490.00. SDCAN seeks compensation at the rate in which Mr. Shames will be compensated in A. 10-12-005 and no less than his compensation in D.13-11-016.</p> <p>SDCAN also requests a \$50 per hour adder for time spent by Mr. Shames in hearings, settlement meetings and workshops. In past awards of intervenor compensation the Commission has recognized that under certain circumstances an enhancement of the base level of award is warranted. Specifically, efficiency adders have been adopted by the Commission in past decisions that reflect an attorney's dual role as expert and attorney for as much as \$80 per hour above the approved market rate where there has been an exceptional result and involved skills or duties that were far beyond those normally required. It most recently adopted an efficiency adder in D.11-12-016.</p> <p>SDCAN submits that it was able to play a particularly important role in achieving the ultimate settlement of complex issues that threatened to consume substantial time and resources. Mr. Shames served as an expert as well as attorney in these meetings and the adder represents a reduction in the costs that would have been sought had SDCAN had its expert witnesses attending these meetings. Mr. Shames' timesheets show that he spent 68.4 hours in workshops, hearings and settlement discussions without the need to have its experts present. Mr. Shames' mastery of the rate design/revenue allocation issues permitted SDCAN to achieve efficiencies that are not offered by most intervenors --- or utilities. The settlement process benefited greatly from SDCAN's participation, and the resulting outcome of the revenue allocation issues reflect SDCAN's contributions throughout. The Comparison Exhibit submitted to Energy Division by the settling parties on October 2012 clearly specifies the role that SDCAN played in the settlement outcome. SDCAN further notes that requested \$50 per hour adder is less than one-fifth of what SDCAN's experts would have charged for attending the hearings and settlement discussions. As to the exceptional result: all of SDCAN's recommendations in the contested portion of the proceeding were adopted in the final decision.</p>
Comment #2	Timesheets for experts show hours billed at \$87,955. However, SDCAN was only billed for \$86,634.05 (<i>see</i> Attachment 5) and seeks only the latter for compensation purposes.
Comment #3	SDCAN's attorney was employed by UCAN until June 2012. SDCAN and UCAN forged an agreement by which UCAN was eligible to seek compensation for Mr. Shames' time spent on the case prior to May 22, 2012. All work performed after May 21 st is properly allocated to SDCAN. Specifically, UCAN would be eligible for compensation relating to the UCAN Motion for a Preliminary Ruling, authored by Mr. Shames, that resulted in the Commission rejection of the Network Use Charge.

D. CPUC Disallowances and Adjustments:

Items	Reason
1. Disallowance for hours spent on errata to testimony.	The Commission does not compensate work consisting of correcting the intervenor's own errors. As such, we disallow 4.40 hours spent by Shames on the errata to Marcus' testimony.
2. Disallowance for unproductive efforts.	Hours spent on the administrative arrangements for UCAN's withdrawal as a party to the proceeding, were not relevant to the substantive issues of this proceeding. We disallow 10.50 hours spent by Shames in June and July of 2012, on various

Items	Reason
	activities related to this issue.
3. Disallowance for clerical/administrative tasks.	Clerical tasks are non-compensable. ⁹ We disallow 2 hours spent by Shames on the clerical and administrative tasks.
4. Disallowance for unproductive efforts.	We disallow time spent by SDCAN on Distributed Generation-Renewable matters. 19.75 hours are reduced in 2012 for work related to this issue.
5. Disallowance for excessive hours.	SDCAN's timesheets includes hours for Marcus, McCleary and Norin preparing their own testimony plus time spent in coordination with legal assistants/attorneys. We find this task duplicative and reduce the request by 10 hours.
6. NOI preparation time.	We reallocate the total of 6.1 hours spent preparing the NOI, from the general tasks category to the intervenor compensation matters category.
7. Disallowance for unproductive efforts.	Tasks constituting correcting the intervenor's own errors are not compensable. We reduce NOI preparation hours by 2.80 hours.
8. Disallowance for unproductive efforts.	October 9 th and 10 th of 2012, Shames traveled to but did not participate in, the hearings; SDCAN does not explain a need for its attorney travel to and from the hearings. We disallow travel time (11.50 hours) and hours spent attending the hearings (7.70 hours), as well as travel costs incurred on October 9 th and 10 th .
9. Disallowance for clerical/administrative tasks.	We disallow 3.5 hours spent by Shames preparing for the October 9 th and 10 th hearings. These tasks are clerical and/or administrative in nature.
10. Disallowance for meals.	The Commission does not compensate intervenors for meals. ¹⁰ All meal costs in connection with the October 22 nd and 23 rd hearings are disallowed.
11. Hourly rate(s) for Steven McClary.	SDCAN requests the rate of \$270 for expert McClary's work performed in 2012. The requested rate for McClary's work in this proceeding is reasonable and within the rate range established in Resolution ALJ-287 for experts with 13+ years of experience. Thus the rate of \$270 per hour is approved for work McClary completed in 2012.
12. Hourly rate(s) for William Monsen.	SDCAN requests the rate of \$270 for expert Monsen's work in 2012. This is the first time we are asked to set hourly rates for this expert's work. According to information in Exhibit 4 to the claim, Monsen is a principal of MRW & Associates, LLC, where he has consulted on California energy issues since 1989. The only information we have about his work for SDCAN in this proceeding is a single time record, indicating that he had a 15-minute conversation with Norin regarding UCAN and the City of San Diego GRC testimony issues. Unfortunately, it is impossible to determine whether the requested rate is commensurate with the level of the work, what issue was involved, and whether the work performed was

⁹ D.98-11-049, 1998 Cal. PUC LEXIS 805.

¹⁰ See D.07-12-040.

Items	Reason
	necessary, productive, and not duplicative of the work of other SDCAN's representatives. As such, we choose to disallow 0.25 hours of Monsen's claimed time in this proceeding.
13. Hourly rate(s) for Heather Mehta.	SDCAN requests the rate of \$248 for Mehta's work in 2012. According to information in Exhibit 4 to the claim, Mehta is a principal of MRW & Associates, LLC, where she has consulted on California energy issues since 1998. The requested rate for Mehta's work in this proceeding, rounded in accordance with our practice to the nearest \$5, is within the rate range established in Resolution ALJ-287 for experts with 13+ years of experience. The rate of \$250 for Mehta's work in this proceeding is reasonable, and is adopted here.
14. Hourly rate(s) for Laura Norin.	SDCAN requests the rate of \$207 for Norin's work in 2012. According to information in Exhibit 4 to the claim, Norin is a senior project manager at MRW & Associates, LLC, where she has consulted on California energy issues since 2004. Her areas of expertise include quantitative modeling related to energy economics, regulation, and policy. The requested rate for Norin's work in this proceeding, rounded in accordance with our practice to the nearest \$5, is within the rate range established in Resolution ALJ-287 for experts with 7-12 years of experience. The rate of \$205 for Norin's work in this proceeding is reasonable, and is adopted here.
15. Hourly rate(s) for Briana Kobor.	SDCAN requests the rate of \$122 for Kobor's work in 2012. The Commission previously approved the rate of \$135 for Kobor's work in 2011-2012, in D.14-06-049. We find the requested rate, rounded to the nearest \$5, reasonable, and adopt the rate of \$120 per hour here.
16. Hourly rate(s) for Michael Shames.	Pursuant to Resolution ALJ-287, in 2012, the highest hourly rate for attorneys with 3-4 years of experience is \$240, and for attorneys with 5-7 years of the attorney experience is \$310. Although licensed in 1983, Shames has many years of lapse on his California Bar License. As such, the rate of \$365 per hour is more than reasonable, and is such adopted here.

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the claim?	Yes
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If so:

Party	Reason for Opposition	CPUC Disposition
San Diego Gas & Electric Company	<ol style="list-style-type: none"> 1. Claim seeks compensation for time spent on large customer issues. 2. Claim seeks excessive hourly rate for its attorney, including an efficiency adder. 3. Claim for compensation for matters related to the transition of Shames' employment from his employment with the Utility Consumers' Action Network to SDCAN is unreasonable. 	These issues have been addressed in Part III.D.

**B. Comment Period: Was the 30-day comment period waived
(see Rule 14.6(c)(6)) (Y/N)?**

Yes

FINDINGS OF FACT

1. SDCAN has made a substantial contribution to D.14-01-002.
2. The requested hourly rates of SDCAN representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$163,889.29.

CONCLUSION OF LAW

The claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

ORDER

1. San Diego Consumers' Action Network is awarded \$163,889.29.
2. Within 30 days of the effective date of this decision, San Diego Gas & Electric Company shall pay San Diego Consumers' Action Network the total award. Payment of the award shall include interest at the rate earned on prime three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning January 5, 2015, the 75th day after the filing of San Diego Consumers' Action Network's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1401002		
Proceeding(s):	A1110002		
Author:	ALJ Steve Roscow and ALJ Amy Yip-Kikugawa		
Payer(s):	San Diego Gas & Electric Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
San Diego Consumers' Action Network	1/24/14; amended claim: 10/22/14	\$195,331.50	\$163,889.29	Disallowed	Disallowance for clerical/administrative tasks; duplication of efforts; excessive hours.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Michael	Shames	Attorney	SDCAN	\$365	2012-2013	\$365
William	Marcus	Expert	SDCAN	\$260	2012	\$260
Garrick	Jones	Expert	SDCAN	\$150	2012	\$150
Greg	Ruszovan	Expert	SDCAN	\$195	2012	\$195
Steven	McClary	Expert	SDCAN	\$270	2012	\$270
William	Monsen	Expert	SDCAN	\$270	2012	\$0
Heather	Mehta	Expert	SDCAN	\$248	2012	\$250
Laura	Norin	Expert	SDCAN	\$207	2012	\$205
Briana	Kobor	Expert	SDCAN	\$122	2012	\$120
Sandhya	Sundararagavan	Expert	SDCAN	\$132	2012	\$60

(END OF APPENDIX)